

U.S.S.N. 10/643,500
May 16, 2007

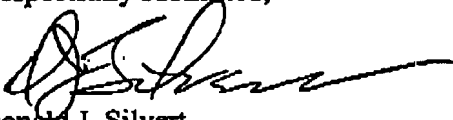
Proposed Amendments to the Claims
FOR DISCUSSION ONLY

Applicants are providing the following claim set to facilitate a discussion with Examiner Channavajjala about certain proposed amendments that are believed to address the issues presented in the Office action of March 27, 2007. The following bullet points present relevant information and a preliminary recital of support for each of the amendments.

- The Office action states at page 5 that applicants' arguments in the Amendment A of December 22, 2006 "are not persuasive because instant claims do not recite the bubbles or bubble sizes or the pressure employed to dispense the composition."
- The amendment of independent claim 1 inserts language re the pressure employed, which is supported, for example, by original claim 15 and the specification at page 5, line 28 to page 6, line 1.
- The amendment of the other independent claim, i.e., claim 17, inserts the requirement that more bubbles are in the shaving cream upon dispensing as compared to a second shaving cream that includes no more than 2.45% by weight of the intermediate constituent. The percentage derives from the comparative example in the specification, which compares shaving cream of the present invention to that of U.S. Patent 5,902,225. Spec. at pp. 2 and 6 and FIGS. 1-8.

Applicants' attorney would appreciate having a telephone conversation with the Examiner to discuss the following proposed amendments. Applicants' attorney can be reached at (312) 422-5635, and will keep his schedule as flexible as possible.

Respectfully submitted,



Donald J. Silvert
Reg. No. 37552

U.S.S.N. 10/643,500

May 16, 2007

Proposed Amendment to the Claims:

FOR DISCUSSION ONLY

1. (currently amended) A composition, comprising:
an intermediate constituent; and
a diluent;
wherein
(a) the intermediate constituent comprises (i) a surfactant that is about 2.8% to about 22.2% by weight of the intermediate constituent and (ii) a mixture of moisturizing compounds that is about 0.9% to about 3.9% by weight of the intermediate constituent, wherein the mixture of moisturizing compounds includes lactic acid; ~~and~~
(b) the diluent comprises a blend capable of producing CO₂ in situ; and
(c) the composition creates a starting pressure of about 85 psig in a container.
2. (previously presented) The composition of claim 1, wherein the mixture of moisturizing compounds includes an additional moisturizing compound selected from a group consisting of aloe vera gel, Pro-Vitamin B5, Vitamin E Acetate, and mixtures thereof.
3. (original) The composition of claim 2, wherein the weight ratio of lactic acid to additional moisturizer is in the range of about 1:2 to about 1:2.5.
4. (previously presented) The composition of claim 1, wherein the intermediate constituent further includes a blend of polymers that is about 0.8% to 1.1% by weight thereof.
5. (previously presented) The composition of claim 4, wherein the blend of polymers is selected from the group consisting of carbomer, hydroxypropylmethylcellulose, hydroxyethylcellulose, and mixtures thereof.

U.S.S.N. 10/643,500

May 16, 2007

6. (previously presented) The composition of claim 1, wherein the diluent further includes a hydrocarbon propellant.

7. (previously presented) The composition of claim 6, wherein the hydrocarbon propellant is an isobutane/isopentane blend.

8. (previously presented) The composition of claim 7, wherein the weight ratio of isobutane to isopentane is in the range of about 3:97.

9. (original) The composition of claim 1, wherein the lactic acid is in the form of a buffered lactic acid.

10. (original) The composition of claim 1, wherein the surfactant includes at least one from the group consisting of decyl polyglucose, ammonium cocyl isethionate, sodium dioctyl sulfosuccinate, and mixtures thereof.

11. (original) The composition of claim 10, wherein the surfactant system includes decyl polyglucose, ammonium cocyl isethionate, and sodium dioctyl sulfosuccinate.

12. (currently amended) The composition of claim 1, wherein the blend capable of producing CO₂ comprises ~~a blend of~~ potassium bicarbonate and citric acid.

13. (previously presented) The composition of claim 12, wherein the weight ratio of potassium bicarbonate to citric acid is about 3.0:1.3.

14. (previously presented) The composition of claim 1, further including a triethanolamine that is about 0.6% to about 0.8% by weight of the intermediate constituent.

U.S.S.N. 10/643,500
May 16, 2007

15. (currently amended) The composition of claim 1, wherein the blend constitutes from about 4.6% to about 7.4% of the composition is stored in a container at an initial pressure of about 85 psig.

16. (original) The composition of claim 1, wherein the composition is dispensed from a container at a pressure of at least 40 psig.

17. (currently amended) A shaving cream having an intermediate constituent and a diluent, comprising:

a lactic acid that is about 0.4% to about 2% by weight of the intermediate constituent; and

a blend capable of producing CO₂ that is about ~~58~~ 4.6% to about ~~62~~ 7.4% by weight of the ~~diluent~~ shaving cream;

wherein upon dispensing, the shaving cream has a greater number of bubbles relative to a second shaving cream that includes no more than 2.45% blend therein.

18. (previously presented) The shaving cream of claim 17, further including a surfactant system that is about 2.8% to about 22.2% by weight of the intermediate constituent.

19. (previously presented) The shaving cream of claim 18, further including a moisturizer selected from a group consisting of aloe vera gel, Pro-Vitamin B5, Vitamin E acetate, and mixtures thereof; wherein the moisturizer is about 0.5% to about 1.4% by weight of the intermediate constituent.

20. (previously presented) The shaving cream of claim 17, wherein the shaving cream is stored in a container at an initial pressure of about 85 psig.

21. (previously presented) The shaving cream of claim 17, wherein the shaving cream is dispensed from a container at a pressure of at least 40 psig.

U.S.S.N. 10/643,500

May 16, 2007

22. (previously presented) The composition of claim 1, wherein the lactic acid is at least 0.4% by weight of the intermediate constituent.

23. (previously presented) The composition of claim 1, wherein the blend is about 58% to about 62% by weight of the diluent constituent.

24. (previously presented) The composition of claim 1, wherein from 8% to 12% of the composition is diluent.

25. (new) The composition of claim 1, wherein upon dispensing as a shaving cream, the composition has a greater number of bubbles relative to a second composition that includes no more than 2.45% blend therein.